

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shuichi Takagi et al.

Serial No.: 10/699,102

Filed: October 31, 2003

Confirm. No.: 2678

Title: Method And Apparatus For Synchronously Transferring Data From A Local Storage Medium To A Remote Storage Medium At A Select Time Based Upon Available Bandwidth And Amount Of Local Data (As Previously Amended)

Art Unit: 2167

Examiner: Miranda Le

Docket No.: 50T5441.01

VIA EFS WEB
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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Marjorie Scariati
(Printed Name of Person Sending Correspondence)

/Marjorie Scariati/
(Signature)

**PETITION UNDER 1.136(a) AND
AMENDMENT AND RESPONSE TO OFFICE ACTION**

Sir:

This is in response to the non final Office Action December 28, 2009. A response is due by April 28, 2010 with payment of a one-month extension fee; thus, this Response is timely filed.

Kindly consider the following remarks.

Amendments to the Claims begin on Page 2.

Arguments/Remarks begin on Page 8.